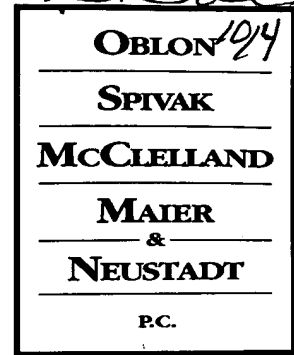




Docket No.: 214149US99M CONT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231



ATTORNEYS AT LAW

RE: Application Serial No.: 09/095,325

Applicants: Gene EGGLESTON, et al.

CPA Filing September 18, 2001

Date:

For: MOTOROLA V. RESEARCH IN MOTION--METHOD
AND APPARATUS FOR RATE GOVERNING
COMMUNICATIONS

Group Art Unit: 2152

Examiner: Jason D. Cardone

SIR:

Attached hereto for filing are the following papers:

REQUEST FOR RECONSIDERATION

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

W. Todd Baker
Charles L. Gholz

Registration No. 26,395



22850

(703) 413-3000 (phone)

(703) 413-2220 (fax)

I:\interference\cases\212260Mot\214149US\Shrt PTO Cvr Ltr.doc

W. Todd Baker

Registration No. 45,265

DOCKET NO.: 214149US99M CONT



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
GENE EGGLESTON, ET AL. : EXAMINER: CARDONE, J.
SERIAL NO: 09/095,325 :
CPA SEPTEMBER 18, 2001 : GROUP ART UNIT: 2152
FILED:
FOR: METHOD AND APPARATUS FOR :
RATE GOVERNING
COMMUNICATIONS

REQUEST FOR RECONSIDERATION

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Reconsideration of this application in light of the following discussion is respectfully requested.

REMARKS

Claims 33-114 are presently active in this case.

Applicants acknowledge with appreciation the courtesy of an interview granted to Applicants' counsel on September 24, 2002, at which time the subject invention was explained in light of Applicants' disclosure, the outstanding issues were discussed, and arguments substantially as hereinafter developed were presented. The Examiner noted that he would reconsider the outstanding rejections upon submission of a formal response.

In the outstanding Office Action, Claims 33-114 were objected to under 35 U.S.C. § 112, first paragraph, for containing subject matter which was not described in the specification in such

RECEIVED

OCT 02 2002

Technology Center

*Please enter Remarks upon Appeal/ Prior Art related fees
10/8/02*